

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of A.R.H., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

TONY HEROY,

Respondent-Appellant,

and

JENNIFER LYNN DONOHO,

Respondent.

In the Matter of A.R.H., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JENNIFER LYNN DONOHO,

Respondent-Appellant,

and

TONY HEROY,

Respondent.

UNPUBLISHED

June 21, 2002

No. 237318

Cass Circuit Court

Family Division

LC No. 00-000227-NA

No. 237414

Cass Circuit Court

Family Division

LC No. 00-000227-NA

Before: Jansen, P.J., and Smolenski and Wilder, JJ.

PER CURIAM.

In these consolidated appeals, respondent-appellant Jennifer Lynn Donoho appeals by leave granted and respondent-appellant Tony Heroy appeals as of right from the order dated September 4, 2001, terminating their parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i) and (g). We affirm.

Respondent-appellant Heroy argues that the trial court erred in finding sufficient evidence of statutory grounds to terminate his parental rights. We disagree. The trial court did not clearly err in finding clear and convincing evidence of statutory grounds for termination. MCR 5.974(I); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989); *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1991). The evidence established that Heroy continued to be too unstable, immature and dependent on others to assume care of the minor child within a reasonable time. He failed to secure stable employment and continued to rely on his mother for housing, and there was no indication that these matters were improving.

Heroy also argues that the trial court erred in declining to find that termination was not in the child's best interests. When the petitioner establishes by clear and convincing evidence that a statutory basis for termination exists, the court must order termination of parental rights unless it finds from evidence on the record that termination is clearly not in the child's best interests. MCL 712A.19b(5); *Trejo, supra* at 350-351. Heroy fails to explain what evidence showed that termination was not in the child's best interests; he merely reiterates his argument that the evidence was insufficient to establish grounds for termination. This argument therefore fails, because a party may not merely announce a position and leave it to this Court to discover and rationalize the basis for the claim. *American Transmission, Inc v Channel 7 of Detroit, Inc*, 239 Mich App 695, 705; 609 NW2d 607 (2000).

Respondent-appellant Donoho does not argue that the trial court erred in finding sufficient evidence of statutory grounds for termination. She contends only that the trial court should have found that the child's best interests would have been served not by termination of her parental rights, but by placement with a relative. This issue is not preserved for appellate review because Donoho failed to raise it before the trial court. Moreover, we find that the evidence does not show that placement with the named relatives would have been a better option than termination.

Affirmed.

/s/ Kathleen Jansen
/s/ Michael R. Smolenski
/s/ Kurtis T. Wilder